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PATENT APPLICATION

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the Application of

Hiroyuki ADACHI, Toichi HIRATA,  
Genroku SUGIYAMA, Hiroshi WATANABE,  
Koichi SHIBATA, Hideki KOMATSU

Application No.: US National Stage of PCT/JP01/02810

Filed: November 29, 2001

Docket No.: 111232

For: CONSTRUCTION MACHINE REFUELING SYSTEM AND CONSTRUCTION  
MACHINE

PRELIMINARY AMENDMENT

Director of the U.S. Patent and Trademark Office  
Washington, D. C. 20231

Sir:

Prior to initial examination, please amend the above-identified application as follows:

IN THE CLAIMS:

Please replace claims 3-6 and 10-11 as follows:

3. (Amended) A construction machine refueling system according to claim 1,

wherein:

    said construction machine is further provided with a positional information detector  
    that detects positional information of the construction machine; and

    said transmitter also transmits the detected positional information when transmitting.

4. (Amended) A construction machine refueling system according to claim 1,  
    further comprising:

    a base station side transmitter that is provided at the base station side and transmits a  
    request of refueling based on information received by the receiver, to a tie-up station.

5. (Amended) A construction machine refueling system according to claim 1,  
    further comprising:

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a base station side transmitter that is provided at the base station side and transmits information received by the receiver to a user side receiver that is provided at a user side of the construction machine.

10. (Amended) A construction machine refueling system according to claim 8, wherein said selector selects the optimum refueling location based on a residual fuel amount transmitted from the construction machine.

11. (Amended) A construction machine refueling system according to claim 8, wherein said selector reads out data relating to the plurality of refueling locations from a specified database, and selects the optimum refueling location based on the read out data.

REMARKS

Claims 1-15 are pending. By this Preliminary Amendment, claims 3-5 and 10-11 are amended to eliminate multiple dependencies. Prompt and favorable consideration on the merits is respectfully requested.

The attached Appendix includes marked-up copies of each rewritten claim (37 C.F.R. §1.121(c)(1)(ii)).

Respectfully submitted,



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Attached: APPENDIX  
Date: November 29, 2001

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## APPENDIX

## Changes to Claims:

3. (Amended) A construction machine refueling system according to claim 1-~~or~~  
claim 2, wherein:

    said construction machine is further provided with a positional information detector  
that detects positional information of the construction machine; and

    said transmitter also transmits the detected positional information when transmitting.

4. (Amended) A construction machine refueling system according to claim 1~~any~~  
~~one of claim 1 through claim 3~~, further comprising:

    a base station side transmitter that is provided at the base station side and transmits a  
request of refueling based on information received by the receiver, to a tie-up station.

5. (Amended) A construction machine refueling system according to claim 1~~any~~  
~~one of claim 1 through claim 3~~, further comprising:

    a base station side transmitter that is provided at the base station side and transmits  
information received by the receiver to a user side receiver that is provided at a user side of  
the construction machine.

10. (Amended) A construction machine refueling system according to claim 8-~~or~~  
claim 9, wherein said selector selects the optimum refueling location based on a residual fuel  
amount transmitted from the construction machine.

11. (Amended) A construction machine refueling system according to claim 8-~~or~~  
claim 9, wherein said selector reads out data relating to the plurality of refueling locations  
from a specified database, and selects the optimum refueling location based on the read out  
data.